

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

SOUTHERN DISTRICT OF MISSISSIPPI	
FILED	
JUN 14 2007	
J. T. NOBLIN, CLERK	BY DEPUTY

No. 07-60217

IN RE: LARRY WAYNE MCKENZIE,

U.S. COURT OF APPEALS
FILED

JUN 5 2007

Movant.

CHARLES H. FULBRIDGE III
CLERK

Motion for an order authorizing
the United States District Court for the Southern
District of Mississippi to consider
a successive 28 U.S.C. § 2254 application

Before JOLLY, STEWART, and PRADO, Circuit Judges.

PER CURIAM:

Larry Wayne McKenzie, Mississippi prisoner # K4202, moves for authorization to file a successive 28 U.S.C. § 2254 application challenging his 2000 guilty-plea conviction and sentence for statutory rape. McKenzie intends to argue that his sentence is illegal and that he was denied due process because he did not commit the offense in the county of his conviction. McKenzie has not shown that his claims are based on either newly discovered evidence or a previously unavailable rule of constitutional law that the Supreme Court has made retroactive to cases on collateral review. See 28 U.S.C. § 2244(b)(2). Therefore, IT IS ORDERED that his motion is DENIED.

Because McKenzie duplicates a claim raised in a prior § 2254 application, McKenzie is hereby WARNED that submission of any

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future repetitious, frivolous, or abusive filings relating to
§ 2254 relief will invite the imposition of sanctions.

A true copy
Attest:

Clerk, U. S. Court of Appeals, Fifth Circuit
~~Beth A. Johnson~~
Deputy
New Orleans, Louisiana JUN 05 2007